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July 10, 2008

Ms. Kristine Koch  
Remedial Project Manager  
United States Environmental Protection Agency, Region 10  
Office of Environmental Cleanup, Mail Code ECL-115  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

**RECEIVED**

**JUL 15 2008**

**Environmental  
Cleanup Office**

RE: Response to 104(e) Request for Information

Dear Ms. Koch:

On January 18, 2008, EPA made a first request of Glacier Northwest, Inc. ("Glacier") for information related to the Portland Harbor Superfund Site. On April 28, 2008, Glacier requested a 60 day extension until July 15, 2008 to respond to the request. The extension was granted in a letter sent by Ms. Deb Yamamoto on May 7, 2008. Glacier's response to your January 18, 2008 request is enclosed and accompanied by three boxes of documents produced in response to the request. Please note that the response and documents contain Confidential Business Information ("CBI") as defined in 40 C.F.R pt 2. These documents are held in purple file folders and clearly marked confidential. We request that all documents designated CBI be withheld from public disclosure and that they be filed and maintained separately for the non-CBI documents.

Please contact me if you have any questions about the information provided or material submitted.

Sincerely,

*Shawn Carter Lilley*

Shawn Carter Lilley  
Corporate Counsel

Enclosure  
3 boxes.

USEPA SF



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JUL 15 2008

**Environmental  
Cleanup Office**

**U.S. EPA**

**CERCLA SECTION 104(e)**

**INFORMATION REQUEST**

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**Please note:** This Information Request includes instructions for responding to this request and definitions of words such as "Respondent," "Property," "Material," "Identify," and "Investigation Area" used in the questions. Please provide responses to all the questions in this Information Request for each Property identified in response to Question 4 of Section 2.0, when appropriate. You must answer the Questions in this Information Request related to properties or facilities outside the Investigation Area if Question 4, Section 2.0 specifically instructs you to do so. For each response clearly identify the Property or Properties to which the response applies.

**INFORMATION REQUEST QUESTIONS**

**Section 1.0 Respondent Information**

1. Provide the full legal, registered name and mailing address of Respondent.

Glacier Northwest, Inc.  
5050 First Avenue South  
Seattle, WA 98134

2. For each person answering these questions on behalf of Respondent, provide:
  - a. full name;
  - b. title;
  - c. business address; and
  - d. business telephone number, electronic mail address, and FAX machine number.

Bryan Wigginton  
Glacier Northwest, Inc.  
Environmental Manager, Oregon Division  
1050 River Street  
Portland, OR 97227  
(503) 335-2600 (phone)  
[bwigginton@calportland.com](mailto:bwigginton@calportland.com)  
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(206) 764-3054 (fax)

3. If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number, fax number, and, if available, electronic mail address.

Shawn Carter Lilley  
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## **Section 2.0 Owner/Operator Information**

4. Identify each and every Property that Respondent currently owns, leases, operates on, or otherwise is affiliated or historically has owned, leased, operated on, or otherwise been affiliated with within the Investigation Area during the period of investigation (1937 – Present). Please note that this question includes any aquatic lands owned or leased by Respondent.

Based upon our understanding of the Investigation Area, Glacier Northwest is currently operating on three separate Properties within the Investigation Area. Each of these is described below:

1. 1050 River Street, Portland, 97227 (herein referred to as "**River St. Cement Terminal**").
2. 5034 NW Front Avenue, Portland, 97210 (herein referred to as "**Front Ave. Batch Plant**").
3. 10504 NW Saint Helens Rd Portland 97231(herein referred to as "**Linnton Sand Yard**")

While Glacier Northwest is neither presently operating nor historically associated a former concrete batch plant that operated on Swan Island, Glacier can provide a brief overview and several documents. As part of an asset purchase of Riedel in April 1987, Lone Star general partnership acquired the equipment and was assigned the lease to property owned by Union Pacific Railroad on Swan Island. Lone Star Industries (no relationship to Glacier Northwest as further described in answer to Section 8 below) closed the aggregate processing and concrete batching site without operating it and ultimately terminated the lease in December 1988. Lease documents outlining these relationships are attached as Appendix A to this response.

5. Provide a brief summary of Respondent's relationship to each Property listed in response to Question 4 above, including the address, Multnomah County Alternative Tax lot Identification number(s) dates of acquisition, period of ownership, lease, operation, or affiliation, and a brief overview of Respondent's activities at the Properties identified.

**River St. Cement Terminal:** River Street was purchased by Lone Star Northwest, Inc. on April 19, 1991. Lone Star Northwest, Inc., (known as Glacier Northwest, Inc. since January 1, 2000) has owned the River Street property since that time. The site is a bulk cement distribution terminal where cement is unloaded from ships, transferred and stored in silos and loaded into customer's trucks and rail cars for distribution. The site also serves as the regional headquarters for Glacier Northwest's Oregon and Southwest Washington operations. The address is 1050 River Street, Portland, 97227 and the tax lot identification numbers are R102753, R102754 and P388507.

**Front Ave. Batch Plant:** Lone Star Northwest, Inc. was assigned a lease of the Front Avenue property on April 30, 1991. Lone Star Northwest, Inc. (known as Glacier Northwest, Inc. since January 1, 2000) has leased the property since that time. The site is a wholesale aggregate distribution facility and a ready mixed concrete batch plant. The address is 5034 NW Front Avenue, Portland, 97210

and the tax lot identification numbers are P426213, R238218 and R238219.

**Linnton Sand Yard:** Glacier Northwest purchased the stock of Columbia River Sand and Gravel in November, 2000. As part of the acquisition, Glacier Northwest assumed a lease and began operating on property in Portland owned by Linnton Plywood. Glacier Northwest has operated on the site since that time. Linnton Sand Yard is an approximately 8.3 acre sand distribution yard upon which aggregate sand from the Columbia River is stored and dewatered on site and sold to customers. The address is 10504 NW Saint Helens Rd. Portland, 97231 and the tax lot identification numbers are R323802 and P507206.

6. Identify any persons who concurrently with you exercises or exercised actual control or who held significant authority to control activities at each Property, including:
- a. partners or joint venturers;
  - b. any contractor, subcontractor, or licensor that exercised control over any materials handling, storage, or disposal activity on the Property; (service contractors, remediation contractors, management and operator contractors, licensor providing technical support to licensed activities);
  - c. any person subleasing land, equipment or space on the Property;
  - d. utilities, pipelines, railroads and any other person with activities and/or easements regarding the Property;
  - e. major financiers and lenders;
  - f. any person who exercised actual control over any activities or operations on the Property;
  - g. any person who held significant authority to control any activities or operations on the Property;
  - h. any person who had a significant presence or who conducted significant activities at the Property; and
  - i. any government entities that had proprietary (as opposed to regulatory) interest or involvement with regard to the activity on the Property.

**River St. Cement Terminal:** The only of the listed relationships that are known to exist at the cement terminal property are a lease and five easements. The north-northwestern part of the property has been leased by Ross Island Sand and Gravel since September 30, 1999 (Copy of the lease attached). There are two storm sewer easements: one, a 10' wide easement in favor of Oregon Department of Transportation and the second a 25' wide easement in favor of the City of Portland. There are two electrical easements in favor of Pacific Power and Light. There is also a 4' x 63' easement was granted to the Union Pacific Railroad for a switch. (Copy of the five easements are attached)

**Front Ave. Batch Plant:** Since 9/1/99 Ultrablock, Inc. has licensed from Lone Star Northwest, Inc. (known as Glacier Northwest, Inc. since January 1, 2000) an approximately 10,000 square foot area to produce and store interlocking concrete blocks. A copy of the License Agreement (9/1/99) is attached.

**Linnton Sand Yard:** In November 2003, BP obtained access to the site to drill boreholes and install temporary groundwater monitoring wells (A copy of the Access Agreement is attached). A City of Portland storm sewer runs through the leased property and discharges into the Willamette as illustrated by the Site Diagram attached in response to question 13 I.

7. Identify and describe any legal or equitable interest that you now have, or previously had in each Property. Include information regarding the nature of such interest; when, how, and from whom such interest was obtained; and when, how, and to whom such interest was conveyed, if applicable. In addition, submit copies of all instruments evidencing the acquisition or conveyance of such interest (e.g., deeds, leases, purchase and sale agreements, partnership agreements, etc.).

**River St. Cement Terminal:** Lone Star Northwest, Inc., (known as Glacier Northwest, Inc. since January 1, 2000) purchased the River Street parcels in fee on April 19, 1991, when the two general partners, Lone Star Industries, Inc. and Onoda Northwest, Inc. conveyed their fee interests to the newly formed corporation. Attached is a copy of the Reorganization Agreement and Confirmation Agreement and the deeds evidencing the conveyance. These documents are Confidential Business Information.

**Front Ave. Batch Plant:** Lone Star Northwest, Inc., (known as Glacier Northwest, Inc. since January 1, 2000) was assigned a property lease on April 30, 1991. Lone Star Northwest, general partnership, assigned the lease when the two general partners, Lone Star Industries, Inc. and Onoda Northwest, Inc. conveyed their fee interests to the newly formed corporation. Attached is a copy of the Ground Lease (9/8/89), an amended legal description (8/1/90) and the Assignment (4/19/91)

**Linnton Sand Yard:** Columbia River Sand & Gravel entered into an option to lease the site from the Linnton Plywood Association in 1994 while it applied for permits necessary to operate the site as a sand dewatering and sales yard. It appears to have secured the permits in 1997 and entered into a formal lease and developed the site in 1998. Glacier is not aware of previous operations on this site. Columbia River Sand & Gravel dredges sand from the river, pumps it into dewatering ponds and sells the sand to customers from the site. Attached is a copy of the lease option (8/1/94), the first Ground Lease (2/1/98) and the Ground Lease with Glacier Northwest (11/1/05).

8. If you are the current owner and/or current operator, did you acquire or operate the Property or any portion of the Property after the disposal or placement of hazardous

substances, waste, or materials on, or at the Property? Describe all of the facts on which you base the answer to this question.

**River St. Cement Terminal:** Glacier objects to the wording of this question. In response, Glacier is producing the Phase I Environmental Site Assessment prepared by Morrison-Knudson Engineers, Inc., (2/88) for the Coast Marine property. This report represents the information available to Lone Star Northwest, general partnership prior to purchasing the property. A preacquisition Environmental Site Assessment was not conducted on the Kaiser property acquired by Lone Star Northwest, general partnership.

**Front Ave. Batch Plant:** Glacier objects to the wording of this question. In response, Glacier is producing the Phase I and Phase II Environmental Site Assessment s prepared by Sweet Edwards in 1989 and 1990 as well as a Soil Removal Report and an Evaluation of Potential Offsite Sources of Elevated pH report, copies of which were submitted to DEQ on February 7, 2000. These reports represent the information available to Lone Star Northwest, general partnership prior to leasing the property.

**Linnton Sand Yard:** Glacier objects to the wording of this question. In response, Glacier is producing the Phase I Environmental Site Assessment prepared by AMEC Earth & Environmental in November 2000 prior to the purchase of Columbia River Sand and Gravel. This report represents the information available to Glacier Northwest prior to acquiring a leasehold interest in the property.

9. At the time you acquired or operated the Property, did you know or have reason to know that any hazardous substance, waste, or material was disposed of on, or at the Property? Describe all investigations of the Property you undertook prior to acquiring the Property and all of the facts on which you base the answer to this question.

Glacier restates its objection and response stated in answer to question 8.

10. Identify all prior owners that you are aware of for each Property identified in Response to Question 4 above. For each prior owner, further identify if known, and provide copies of any documents you may have regarding:
- the dates of ownership;
  - all evidence showing that they controlled access to the Property; and
  - all evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Property during the period that they owned the Property.



**River St. Cement Terminal:** Prior to Lone Star Northwest, Inc.'s acquisition in April 1991, what is now a single parcel was two parcels. From a title report ordered by Glacier Northwest, Inc. to respond to this 104(e) request, it appears that Permanente Cement (a predecessor of Kaiser Cement & Gypsum Corp.) purchased both of these parcels in 1949. Kaiser retained the southeastern parcel until it was sold to Lone Star Industries, Inc. in 1987. (A copy of this purchase and sale agreement is attached). Lone Star Industries, Inc. held the property from April 10, 1987 until December 1988 when it was transferred to Lone Star Northwest, general partnership. Lone Star Northwest, general partnership held the property from December 1988 until April 1991 when it was sold to Lone Star Northwest, Inc.

The northwestern portion of the land was purchased by Lone Star Northwest in April 1991. Prior to that time, the parcel was held by Lone Star Northwest, general partnership from February 1988 when it was initially purchased from Coast Marine Construction, Inc. A copy of this purchase and sale agreement is also attached. Permanente Cement (a predecessor of Kaiser Cement & Gypsum Corp.) purchased the parcel in 1949. It sold the northwestern parcel to Coast Marine Construction on March 2, 1976. Coast Marine Construction owned and operated the property for 12 years until conveying the property to Lone Star Northwest, general partnership.

**Front Ave. Batch Plant** Zidell Resources has owned the property since before Glacier Northwest, general partnership first entered a lease with them in 1990. Glacier Northwest has no additional information relative to prior owners or operators.

**Linnton Sand Yard:** The only information Glacier Northwest has about prior operation is derived from the Phase I Environmental Site Assessment performed by AMEC (11/00) and may be found in section 3.0 Site History, pages 2 to 6. From the tax records, it appears that the Linnton Plywood Association purchased the approximately 22.7 acre site (of which Glacier leases approximately 8.3 acres) from the Spokane, Portland and Seattle Railway Company and Burlington Northern Inc., in November 1971.

11. Identify all prior operators of the Property, including lessors, you are aware of for each Property identified in response to Question 4 above. For each such operator, further identify if known, and provide copies of any documents you may have regarding:
  - a. the dates of operation;
  - b. the nature of prior operations at the Property;
  - c. all evidence that they controlled access to the Property; and
  - d. all evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Property during the period that they were operating the Property.

Glacier objects to the use of the term operators as it has a legal definition in the context of superfund liability to which we are not qualified to respond. In a good faith effort to respond to this request, Glacier Northwest will report what it understands the prior operations to have been.

**River St. Cement Terminal:** It is our understanding that the south end of the River Street property was used as a cement distribution terminal by Kaiser Cement. The only information Glacier Northwest has about prior operations on the Coast Marine property is derived from the preacquisition Environmental Site Assessment attached in response to question 8.

**Front Ave. Batch Plant** The only information Glacier Northwest has about prior operations is derived from the Phase I Environmental Site Assessment attached in response to question 8 and may be found in section 3.0 Site History, pages 6 to 8.

**Linnton Sand Yard:** The only information Glacier Northwest has about prior operation is derived from the Phase I Environmental Site Assessment performed by AMEC (11/00) and may be found in section 3.0 Site History, pages 2 to 6.

12. If not included in response to any of the previous questions, please describe the purpose and duration of each aquatic lands lease Respondent or the operator of Respondent's Property(ies) ever obtained from the State of Oregon and provide a copy of each application for and aquatic lands lease obtained.

To the best of our knowledge, Glacier Northwest has never applied for nor obtained an aquatic lands lease at any of the three sites.

### **Section 3.0 Description of Each Property**

13. Provide the following information about each Property identified in response to Question 4:

- a. property boundaries, including a written legal description;

**River St. Cement Terminal:** A copy of the legal description is contained in the deeds attached in response to question 7.

**Front Ave. Batch Plant:** A copy of the amended legal description is attached in response to question 7.

**Linnton Sand Yard:** A copy of the legal description is contained in the lease attached in response to question 7.

- b. location of underground utilities (telephone, electrical, sewer, water main, etc.);

To the extent that Glacier Northwest has specific information that relates to utilities, it appears on the diagrams provided in response to 13 j, unless otherwise referenced.

**River St. Cement Terminal:** The site diagram prepared by SELPECO 10/7/99 is the most complete representation of utilities. The diagram is attached in response to question 18.

**Front Ave. Batch Plant:** The site diagram prepared by Smith Monroe Gray (6/18/91) and the Site Electrical Plant prepared by R&W Engineers (4/90) are the most complete representation of utilities. Both are attached in response to this question.

**Linnton Sand Yard:** The only known underground feature is the storm sewer that runs through the center of the site. A diagram showing the location is attached in response to question 13 m.

- c. location of all underground pipelines whether or not owned, controlled or operated by you;

This question appears redundant and is more completely asked and responded to in question 18.

- d. surface structures (e.g., buildings, tanks, pipelines, etc.);

**River St. Cement Terminal:** Structures at River St. include an office building, 15 cement silos, a cement storage dome, a warehouse, a guard shack, tanker truck hatch access rack, fuel storage and a shop/oil storage area.

**Front Ave. Batch Plant:** Structures at Front Avenue include an office building, batchroom, quality control laboratory, maintenance garage, a concrete batch plant, scales, process water treatment systems, AST and drum storage areas and a shed that houses steam cleaning operations.

**Linnton Sand Yard:** The only structures located at the Linnton Sand Yard site are a scale house and office, truck scale and wheel wash and a fuel storage building.

See the response to question 28 for a more complete description of the structures.

- e. **over-water structures** (e.g., piers, docks, cranes, etc.);

**River St. Cement Terminal:** There is a cement offloading dock (two docks connected by a gangway) as well as a barge dock, as shown on the diagrams provided in response to question 13 l and the aerials in 13 m.

**Front Ave. Batch Plant:** There is a dock with a hopper and conveyor used to offload aggregate from barges into the upland stockpiles as shown on the diagrams provided in response to question 13 l and the aerials in 13 m.

**Linnton Sand Yard:** There is a barge moored approximately 75' off the bank to which the sand dredge ties up when it pumps sand upland, as shown on the diagrams provided in response to question 13 l and the aerials in 13 m.

- f. dry wells;

See the response to question 13 j

- g. treatment or control devices (e.g., surface water, air, groundwater, Resource Conservation and Recovery Act (RCRA), Transfer, Storage, or Disposal (TSD), etc.);

**River St. Cement Terminal:** Bag houses and bin vent filters control the emissions of particulate matter. Stormceptors remove oils and solids from the stormwater. Information about the stormceptor is provided in response to questions 18 and 19.

**Front Ave. Batch Plant:** There is a process water treatment system used to adjust pH of process water prior to discharge to the sanitary sewer system. Bag houses are used to control particulate matter on silos and weigh hoppers. An oil water coalescing separator removes oils from water collected at the steam cleaning pad prior to discharge to the sanitary sewer. (Copy of the design drawing and operations manual attached).

**Linnton Sand Yard:** A continuous swale collects stormwater runoff and conveys the water to a settling pond prior to discharge. The swale has several check dams as well as natural vegetation to slow the waters flow and to remove solids. Sand dewatering occurs by passing the water through an initial wier system covered in fabric followed by a large settling pond that is divided into two cells by a permeable rock wall. The settling pond is also equipped with two turbidity curtains that the water must pass through prior to manual discharge.

- h. groundwater wells, including drilling logs;

Not applicable.

- i. storm water drainage system, and sanitary sewer system, past and present, including septic tank(s) and where, when and how such systems are emptied and maintained;

None of the three sites have septic systems. The information related to stormwater drainage and sanitary sewer systems is contained in response to questions 18 and 19.

- j. subsurface disposal field(s), Underground Injection Control (UIC) wells, and other underground structures (e.g., underground storage tanks (USTs); and where they are located, if they are still used, and how they were closed;

**River St. Cement Terminal:** Historically there were three underground storage tanks at this location: a 1,000 gallon steel gasoline tank on the northwest side of the property, a 10,000 gallon steel gasoline tank on the southern part of the property and a 6,000 gallon steel diesel tank on the northern part of the property. The 1,000 gallon tank was removed in 1988 and 120 yards of contaminated soil were excavated and disposed of at the St. John's Landfill. The two other tanks were removed in 1989 and the contaminated soil removed from the excavation was combined with excavated petroleum contaminated soils from another site and for on-site aeration. After samples confirmed that there was no further contamination, this soil was leveled on site. In 1999, AGI technologies took four additional confirmatory samples from the UST locations and confirmed that there was no residual contamination. A No Further Action letter was sent by the Department of Environmental Quality on October 11, 1999. (Attached). The location of the tanks can be identified by the red pumps in the 1988 aerial (attached in response to question 13 m) and the 1987 boundary survey attached in response to question 13l.

**Front Ave. Batch Plant:** There are seven Class V (stormwater) dry wells or UIC wells located at Front. A copy of the state registration statement (12/99) and diagram is attached.

**Linnton Sand Yard:** Not applicable

- k. any and all major additions, demolitions or changes on, under or about the Property, its physical structures or to the property itself (e.g., stormwater drainage, excavation work); and any planned additions, demolitions or other changes to the Property;

**River St. Cement Terminal:** New mooring dolphins were installed in 1990 and 1992, a cement storage dome installed in 1994, the dock was reconstructed in 1993, new truck and rail loadout systems were installed in 1997 and 1998, a new warehouse was installed and the entrance relocated in 2001, in 2002 a new stormceptor was installed and the stormwater outfall expanded, the ship unloader was replaced in 2002, the northern barge dock was replaced in 2003 and the rail track was expanded in 2007. (By way of example, attached is a list of permits issues for the facility, and site diagrams associated with the dock loadout and barge ramp)

**Front Ave. Batch Plant:** There have been very few major changes to the Front Avenue property since it was first opened in 1991. Soon after the plant opened, the PVC water piping was replaced with steel piping. A small maintenance structure was added to service the plant. The shop containment area was covered. There has been additional paving put in through out the years. In 1998, an oil water separator and pressure washing shed were installed. All other actions have been minor modifications to equipment, structures and operations.

**Linnton Sand Yard:** In about 2002, Glacier Northwest separated the process water settling pond into two ponds and installed a turbidity curtain between the two cells to improve the quality of the dewatering water discharged from the site. In 2002, Glacier Northwest extended and lowered the process water discharge pipe. There have been no other major modifications to the site since Glacier took control of Columbia River Sand & Gravel in 2001.

- l. all maps and drawings of the Property in your possession; and

There are numerous maps and drawings developed through the years of operations. Glacier Northwest has reviewed the files and produced the maps most representative of the sites and the operations which include information requested in this information request. Most of the diagrams are produced in response to the questions asking specific information, but several are produced in this section as illustrative of drawings.

**River St. Cement Terminal:** Attached are a 1987 boundary survey and site diagram and a 1999 drawing prepared by SELPECO engineering which is representative of the site.

**Front Ave. Batch Plant:** Attached is a drawing prepared in 1998 by Smith Monroe Gray and various other diagrams which are representative of the site.

**Linnton Sand Yard:** Attached is a diagram prepared by outside engineering firms (originally SELPECO, modified in 2007 by GeoEngineers)

- m. all aerial photographs of the Property in your possession.

**River St. Cement Terminal:** Two representative aerials from 1988 and 2008 are attached.

**Front Ave. Batch Plant:** Three representative aerials from 1992, 1998 and 2006 are attached.

**Linnton Sand Yard:** An aerial from 2007 is attached. In addition, there are four historic aerials of the site in the Phase I ESA attached in response to question 8.

- 14. For Properties adjacent to the Willamette River, provide specific information describing the river-ward boundary of private ownership and where state aquatic lands and/or state-management jurisdiction begins. Provide a map that delineates the river-ward boundary of each Property.

The only specific information Glacier Northwest has is with respect to the boundaries of the property owned by Glacier Northwest as established through a boundary survey. This information does not attempt to define state aquatic lands.

**River St. Cement Terminal:** Attached is a survey performed by Smith, Monroe and Gray (1999) which shows a harbor line.

**Front Ave. Batch Plant:** The Smith Monroe Gray 1998 diagram attached in response to question 13 l shows a harbor line.

**Linnton Sand Yard:** Glacier Northwest does not have any diagrams depicting ownership or harbor lines.

15. For each Property, provide all reports, information or data you have related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about each Property. Provide copies of all documents containing such data and information, including both past and current aerial photographs as well as documents containing analysis or interpretation of such data.

The only information Glacier Northwest has on soil, ground and surface water quality, geology and hydrogeology is in the Environmental Site Assessments produced in response to question 8 and the limited soil sampling produced in response to question 13 j.

To the best of our knowledge, there is no information about air quality.

Aerials are provided in response to 13.m. above.

16. Identify all past and present solid waste management units or areas where materials are or were in the past managed, treated, or disposed (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) on each Property. For each such unit or area, provide the following information:
- a. a map showing the unit/area's boundaries and the location of all known units/areas whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units/areas;
  - b. dated aerial photograph of the site showing each unit/area;
  - c. the type of unit/area (e.g., storage area, landfill, waste pile, etc.), and the dimensions of the unit/area;
  - d. the dates that the unit/area was in use;
  - e. the purpose and past usage (e.g., storage, spill containment, etc.);
  - f. the quantity and types of materials (hazardous substances and any other chemicals) located in each unit/area; and
  - g. the construction (materials, composition), volume, size, dates of cleaning, and condition of each unit/area.



Glacier Northwest objects to the term solid waste management unit as that term may have a particular legal definition not presented in this information request. In a good faith effort to respond to the question, we have identified the areas in which we collect solid waste streams prior to off-site disposal.

**River St. Cement Terminal:** Solid wastes such as spent oil filters, oily absorbent material and rags are sent to Waste Management's Hillsboro's Hillsboro landfill. The oil filters are drained on-site for 24 hours, crushed and double bagged with the residual used oil collected in a 275 gallon AST and picked up for off site refining by ORRCO. The 275 gallon AST is in the area marked "Containment C" on the attached diagram from the SPCC.

In 1989, between 950 and 1,000 yards of soil removed from underground storage tank excavations on this site as well as another site were stockpiled for aeration. Confirmation sampling taken in 1996 confirmed that there were no detectable levels of TPH for diesel or gasoline. The soil was spread on the site and left in place. (Attached is a diagram of the approximate area of aeration, correspondence with DEQ and a letter to DEQ April 17, 1996 with the sample results from the aerated soils.)

**Front Ave. Batch Plant:** Solid wastes such as spent oil filters, oily absorbent material and rags are sent to Waste Management's Hillsboro landfill. The oil filters are drained on-site for 24 hours, crushed and double bagged with the residual used oil collected in a 275 gallon AST and picked up for off site refining by ORRCO.

Excess concrete returned from job sites is poured onto a pad and allowed to harden. The hardened concrete is stored south of the batch plant on a large paved area. Containment berms collect any water from the area and convey the water to the process water treatment system. Concrete solids are the solid residues that remain after the truck drum is rinsed out. The concrete solids are stored in a three walled bin that has a sand berm at its front to allow the material to dewater into the process water treatment system. (Attached is a diagram of the fuel storage area and containment prepared by Smith Monroe Gray (3/20/90) A copy of the diagram prepared by GeoEngineers for the SPCC plan is attached to show the location of these areas within the plant.

**Linnton Sand Yard:** The operations generate motor oil which is stored in 55 gallon drums for transport to our Port of Vancouver location for consolidation and collection by ORRCO.

17. If the unit/area described above is no longer in use, how was such unit/area closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit/area.

Not applicable.

18. For each Property, provide the following information regarding any current or former sewer or storm sewer lines or combined sanitary/storm sewer lines, drains, ditches, or tributaries discharging into the Willamette River:
- the location and nature of each sewer line, drain, ditch, or tributary;
  - the date of construction of each sewer line, drain, ditch, or tributary;
  - whether each sewer line, or drain was ever connected to a main trunk line;
  - whether each sewer line, drain, ditch, or tributary drained any hazardous substance, waste, material or other process residue to the Willamette River; and
  - provide any documentation regarding but not limited to the following on any and all outfalls to the Willamette River which are located within the boundaries of the Property(ies). Your response should include, but not be limited to:
    - the areas serviced by the outfalls; and
    - the type of outfall (i.e., storm water or single facility operational).

**River St. Cement Terminal:** There are three municipal outfalls that run through the River St. property, from the north to the south, they are a 48" Oregon Department of Transportation pipe, a 72" city pipe and a 12" city pipe. (An untitled photograph illustrating the lines is attached). In 2000, Jacobson added a stormceptor and a 6" PVC pipe to connect the storm drainage from the site leased from Glacier to the 12" clay storm sewer pipe (as built drawings from Smith Monroe & Gray attached).

There are four outfalls from the southern part of the property where the cement terminal operates. Since Lone Star Northwest, general partnership, first purchased the Kaiser terminal in 1987, there has been a non-contact cooling water outfall. In 1996, as part of a two phased drainage upgrade, Lone Star Northwest, Inc. installed two new 12" stormwater outfalls that drain the cement yard after passing through the stormceptors (A copy of the engineering diagrams by SELPECO and land use approval documents are attached) Four years later, Lone Star completed the second phase of the drainage upgrade by installing a third stormceptor and outfall. (A copy of the engineering diagrams by SELPECO and land use approval documents are attached).

**Front Ave. Batch Plant:** There are no outfalls from this operation. Before the site began operating, Lone Star Northwest, general partnership poured concrete into a drainage pipe that emerged under the existing dock.

**Linnton Sand Yard:** A City of Portland storm sewer runs through the middle of the leased property and discharges to the Willamette as shown on the site diagram provided in response to question 13 l. Glacier does not have any additional information about the storm sewer. Stormwater from the site is routed through a series of ditches to a swale and a stormwater settling pond prior to discharge to the Willamette. Process water from the site is pumped into the dewatering area, passes through a fabric lined wier and gate system into a secondary settling pond equipped with a permeable rock berm and two turbidity curtains prior to discharge to the Willamette.

19. Provide copies of any stormwater or property drainage studies, including data from sampling, conducted at these Properties on stormwater, sheet flow, or surface water runoff. Also provide copies of any Stormwater Pollution Prevention, Maintenance Plans, or Spill Plans developed for different operations during the Respondent's operation of each Property.

**River St. Cement Terminal:** Attached are copies of the following documents:

- April 2004 SPCC and September 1999 SPCC
- Internal pH monitoring done in 1998 to evaluate the effectiveness of the sweeping program
- Documents related to the 1999 installation of the stormceptors

Additional information related to storm drainage planning and engineering are provided in response to question 13k.

**Front Ave. Batch Plant:** Attached are copies of the following documents:

- Internal stormwater calculations
- pH monitoring of each dry well and turbidity inspections pursuant to WPCF 1000. (2002-2008)
- March 2004 SPCC and October 2001 SPCC

**Linnton Sand Yard:** Attached are copies of the following documents:

- March 2004 SPCC
- SWPPP August 2007
- Water quality improvement studies, Kennedy Jenks (July & August 2001)

- 2002-2007 stormwater reports.

#### **Section 4.0 Respondent's Operational Activities**

20. Describe the nature of your operations or business activities at each Property. If the operation or business activity changed over time, please identify each separate operation or activity, the dates when each operation or activity was started and, if applicable, ceased.

**River St. Cement Terminal:** Since Glacier Northwest Inc. first took over the cement terminal, it has operated as a cement distribution facility that imports different types of cements by ship, offloads the cement into the appropriate silo or the cement storage dome and then loads it for sale into truck or rail. The operations have not changed over time, but have grown as further described in answer to question 31. The regional administrative offices were moved to the cement terminal facility in 1998 when an office building was constructed at the site.

**Front Ave. Batch Plant:** Since Glacier Northwest, Inc. first took over the batch plant operations in 1991, it has operated as a concrete batch plant and an aggregate distribution yard. Aggregates are brought in by barge and offloaded into stockpiles for sale to customers. The ingredients for concrete are aggregates, cement, water and admixtures. Cement and admixtures are delivered by vendors to the site. Front Ave. Batch Plant has a truck shop capable of managing regional fleet maintenance. Since it started, the nature of the operations has not changed.

**Linnton Sand Yard:** Since Glacier Northwest first took over the Linnton Sand Yard operations, it has operated as a sand distribution yard, receiving sand dredged from the Columbia River, dewatering it and selling it to regional customers. The nature of the operations has not changed in that time.

21. At each Property, did you ever use, purchase, generate, store, treat, dispose, or otherwise handle any waste, or material? If the answer to the preceding question is anything but an unqualified "no," identify:
- a. in general terms, the nature and quantity of the waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;
  - b. the chemical composition, characteristics, physical state (e.g., solid, liquid) of each waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;
  - c. how each such waste or material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you; and

- d. the quantity of each such waste or material used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

Glacier Northwest objects to the breadth of this question as the term "material" is not further defined. Glacier is responding to the perceived intent of the question to understand the major materials used in the operations.

**River St.** Raw materials used or purchased at River Street include different types of cement and fly ash, diesel fuel and various motor oils, lubricating oils and hydraulic fluids to maintain the equipment and a 500 gallons each of gasoline and diesel tanks. Office supplies are used in the administrative offices. Solid wastes such as spent oil filters, oily absorbent material and rags are sent to Waste Management's Hillsboro landfill. Used oil from servicing mobile equipment, the gear boxes, the ship unloader and oil from drained oil filters are collected in a 275 gallon above ground storage tank and picked up for off site refining by ORRCO approximately twice a year. Filters are drained on-site for 24 hours, crushed and double bagged with the residual used oil. The stormceptors are vacuumed out by ORRCO approximately twice a year, resulting in approximately 600 gallons of oily water and 175 gallons of oily solids each time. Paint that cannot be used is disposed of at Metro.

Attached are examples of used oil and stormceptor cleanout receipts from ORRCO and Metro receipts for paint disposal. Information related to aeration of soils on-site is provided in response to question 16.

**Front Ave. Batch Plant:** Raw materials used or purchased at Front include, various sizes of aggregate, different types of cement and fly ash and up to twelve different types of liquid additives put into the concrete. The vehicle fleet is maintained in the on-site shop with diesel fuel, motor oil, antifreeze and a variety of hydraulic fluids and lubricating oils. Hydrochloric acid (muriatic acid at 33% concentration) is used to adjust the pH of the process water and a dilute synthetic acid solution is used to wash the exterior of the truck drums.

The primary category of solid waste generated at Front Avenue is waste from the truck maintenance shop. The solvent used in the two parts washers are stored in either a 16 or 32 gallon drum beneath the unit and is serviced as needed by Wesco or its successor, Safety Kleen. Used oil is collected in either a 300 gallon tank or a 275 gallon tank stored in covered secondary containment and is collected for reuse by ORRCO approximately two times a quarter. Solids removed from the oil water separator have been collected by Safety Kleen, ORRCO or Spencer Environmental, as needed. Used antifreeze is also collected by ORRCO as needed. Oil filters are drained, crushed, drained again and then bagged and sent to Waste Management's Hillsboro Landfill. Unused paint is

disposed of through Metro Central Hazardous Waste or Spencer Environmental. Soiled disposable shop rags and used absorbent are bagged and sent to the Hillsboro Landfill. Soiled cloth shop rags are sent to a laundry service. By way of example, attached are relevant records from 2005 through to 2007.

Concrete solids, the solids that are removed from the process water, are a by-product of concrete production. After the solids are dewatered, they are disposed of at Scappoose Sand & Gravel. Broken concrete is transported to Scappoose for crushing and resale or reuse in reclamation. Quantities of concrete wastes range from 110 tons per year to 237 tons per year. Prior to using Scappoose Sand & Gravel, concrete solids and broken concrete were taken to the Heckman reclamation site and Porter Yett for soil blending.

**Linnton Sand Yard:** Raw materials used or purchased at Linnton Sand Yard include sand dredged from the Columbia River, as well as diesel, motor oil, lubricating oils and hydraulic fluids. The operations consume approximately 1,500 gallons of diesel per month, which is stored in a fully contained and covered 575 gallon AST.

The operations generate motor oil which is stored in 55 gallon drums for transport to our Port of Vancouver location for consolidation and collection by ORRICO. Attached is the only disposal record for this facility and it relates to a one-time cleaning of a wheel wash before it was shut down

22. Describe all activities at each Property that was conducted over, on, or adjacent to, the Willamette River. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located in the Willamette River.

Offloading activities and procedures are described below in answer to question 23. In response to this question, a list of reported releases is presented below.

**River St. Cement Terminal** A copy of the documents relating to the following releases is attached.

- August 26, 2004  
Hydraulic oil released from dock equipment and was washed over the dock by rain event into the Willamette River. Approximately 1/3 cup of hydraulic oil entered the waterway and produced a sheen approximately 10' x 20'.
- September 14, 1999  
Light hydraulic oil was released to the river from faulty hydraulic cylinder.

Six to sixteen ounces entered the Willamette River.

- June 10, 1998  
Approximately 300 pounds of Portland cement fell into the Willamette River due to a valve failure.

**Front Ave. Batch Plant:** A copy of the documents relating to the following releases is attached.

- January 2, 2007  
Discharge of treated process water to Willamette River due to fitting rupture.
- January 30, 2003  
Discharge of treated process water to Willamette River due to river pump check valve being removed for repairs. Valve on land was not closed when pump was removed.

In addition, aggregates can be dropped into the water during offloading. These aggregates are collected, screened and sold as a fill material when they are recovered as part of periodic maintenance dredging.

**Linnton Sand Yard:** To the best of our knowledge, there have been no releases into the Willamette since Glacier Northwest took over the operations in 2000.

23. For each Property at which there was or is a mooring facility, dock, wharf or any over-water structure, provide a summary of over-water activities conducted at the structure, including but not limited to, any material loading and unloading operations associated with vessels, materials handling and storage practices, ship berthing and anchoring, ship fueling, and ship building, retrofitting, maintenance, and repair.

**River St. Cement Terminal :** Cement is delivered to the facility in 30,000 ton ships and is offloaded using a pneumatic ship unloader called the Docksider. The facility receives approximately 24 to 32 ships per year and it takes four days to unload each ship. The cement is removed from the holds and conveyed by pipeline to the designated storage silo or the cement dome. No fueling, maintenance or repair occur at the facility. Ship Alerts are given to each ship's captain indicating the fueling and repair of the vessels is prohibited while at Glacier's dock. (A copy of a Ship Alert is attached)

**Front Ave. Batch Plant:** Aggregates are delivered to the facility on self-unloading barges. The barges unload into a hopper on the dock and are

conveyed upland to the aggregate stockpile. The barge is towed by a company under contract. No fueling, maintenance or repair occur at the facility.

**Linnton Sand Yard:** The sand dredge ties up to a moored barge and offloads the dredged sand by connecting to a fitting on the moored barge and using the dredge's internal pump to transfer it to the first settling pond. No fueling, maintenance or repair occurs at the facility.

24. Describe all activities conducted on leased aquatic lands at each Property. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located on such leased aquatic lands.

To the best of our knowledge, Glacier Northwest does not now and has not in the past leased aquatic lands so this question is not applicable.

25. Please describe the years of use, purpose, quantity, and duration of any application of pesticides or herbicides on each Property during the period of investigation (1937 – present). Provide the brand name of all pesticides or herbicides used.

**River St. Cement Terminal:** Major Spray is hired to apply herbicides to control invasive vegetation. The brand name of herbicides used by Major Spray are included in the attached letter.

**Front Ave. Batch Plant:** A letter from G.W. Deal is attached which describes the two herbicides used to control invasive vegetation at the facility.

**Linnton Sand Yard:** To the best of our knowledge, no pesticides or herbicides have been applied at Linnton Sand Yard.

The only knowledge of prior activities is contained in the environmental site assessments for the three Properties, none of which were reported as having had pesticides or herbicides applied.

26. Describe how wastes transported off the Property for disposal are and ever were handled, stored, and/or treated prior to transport to the disposal facility.

This question is answered completely in response to Question 21.

27. Has Respondent ever arranged for disposal or treatment or arranged for transportation for disposal or treatment of materials to any Property (including the Willamette River) within the Investigation Area? If so, please identify every Property that Respondent's materials were disposed or treated at in the Investigation Area. In addition, identify:
- the persons with whom the Respondent made such arrangements;
  - every date on which Respondent made such arrangements;



- c. the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid), and quantity (volume and weight) of all materials involved in each such arrangement;
- d. in general terms, the nature and quantity of the non- hazardous materials involved in each such arrangement;
- e. in general terms, the nature and quantity of any hazardous materials involved in each such arrangement;
- f. the owner of the materials involved in each such arrangement, if not Respondent;
- g. all tests, analyses, analytical results or manifests concerning each hazardous material involved in such transactions;
- h. the address(es) for each Property, precise locations at which each material involved in such transactions actually was disposed or treated;
- i. the owner or operator of each facility at which hazardous or non-hazardous materials were arranged to be disposed at within the Investigation Area;
- j. who selected the location to which the materials were to be disposed or treated;
- k. who selected the Property as the location at which hazardous materials were to be disposed or treated; and
- l. any records of such arrangement(s) and each shipment.

To the best of our knowledge, Glacier Northwest has not arranged for disposal or treatment of materials to Property within the investigation area.

28. Describe the plants and other buildings or structures where Respondent carried out its operations at each Property within the Investigation Area (excluding locations where ONLY clerical/office work was performed).

**River St. Cement Terminal:** Structures at River St. include an office building, 15 cement silos, a cement storage dome, a warehouse, a guard shack, tanker truck hatch access rack and a shop/oil storage area.

**Front Ave. Batch Plant:** Structures at Front Avenue include:

- an office building housing the concrete truck dispatchers for Oregon and Southwest Washington;
- the two concrete batch plants where the raw ingredients are mixed to produce and discharge concrete into the waiting truck for delivery,
- the building containing the batchroom where the specific mixes are entered into the batch panel, quality control laboratory and boiler/admixture rooms,
- the maintenance garage,
- pressure washing shed

**Linnton Sand Yard:** The only structures located at the Linnton Sand Yard include:

- a scale house in which a scale operator generates tickets for customers
- a fuel storage building (housing a fully contained 575 gallon diesel AST as well as 55 gallon drums of motor oil)

29. Provide a schematic diagram or flow chart that fully describes and/or illustrates the Respondent's operations on each Property.

Attached is a flow diagram showing flow of cement at the River St. Cement Terminal. There are no flow diagrams for the Front Ave. Batch Plant or Linnton Sand Plants.

30. Provide a brief description of the nature of Respondent's operations at each location on each Property including:
- a. the date such operations commenced and concluded; and
  - b. the types of work performed at each location, including but not limited to the industrial, chemical, or institutional processes undertaken at each location.

The response to this question has already been provided in response to question 20.

31. If the nature or size of Respondent's operations changed over time, describe those changes and the dates they occurred.

**River St. Cement Terminal:** In 1994, the terminal almost doubled the storage capacity by adding a cement storage dome with a 30,000 ton capacity. In 1998, the terminal increased it's flexibility to allow offloading from rail car into the silos. Installation of the new offloading system in 2002 almost doubled the offloading capacity. In 2007, the terminal upgraded the rail holding capacity to further increase the storage capacity.

**Front Ave. Batch Plant:** Since beginning its operation in 1991, the nature and size of the operations has largely been the same as it responds to regional building markets.

**Linnton Sand Yard:** Since beginning its operation in 2000, the nature and size of the operations has largely been the same as it responds to regional building markets.

32. List the types of raw materials used in Respondent's operations, the products manufactured, recycled, recovered, treated, or otherwise processed in these operations.

To the extent that this question has already been answered in response to question 21, the material will not be repeated. The response to this question focuses on the main ingredients in the products sold from the three facilities.

**River St. Cement Terminal:** The only materials sold from this facility are different types of cement (Type III; Type I/II; Type V) and fly ash. There are no products manufactured, recycled, recovered, treated or otherwise processed at this facility.

**Front Ave. Batch Plant:** The raw materials used to make concrete are aggregates, water, cement and/or flyash and one or more of 12 admixtures. The product manufactured at the facility is concrete. Returned concrete that is not used on a job is made into blocks by a licensee, or allowed to harden to be crushed and reused as an aggregate alternative. High pH process water is first reused to batch concrete with any excess being pH adjusted and discharged to the sanitary sewer system.

**Linnton Sand Yard:** The only material sold from this facility is sand dredged from the Columbia River. There are no products manufactured, recycled, recovered, treated or otherwise processed at this facility.

33. Provide copies of Material Safety Data Sheets (MSDS) for materials used in the Respondent's operations.

A copy of the MSDSs for each of the three sites is attached.

34. Describe the cleaning and maintenance of the equipment and machinery involved in these operations, including but not limited to:
- a. the types of materials used to clean/maintain this equipment/machinery;
  - b. the monthly or annual quantity of each such material used;
  - c. the types of materials spilled in Respondent's operations;
  - d. the materials used to clean up those spills;
  - e. the methods used to clean up those spills; and
  - f. where the materials used to clean up those spills were disposed of.

**River St. Cement Terminal:** The facility uses primarily a biodegradable cleaner (e.g., Simple Green) and rags to wipe down equipment for servicing. The dome is pressure washed and the resulting water is collected into the sweeper truck for disposal into the sanitary sewer in accordance with the attached authorization (Industrial Wastewater Batch Discharge Batch 1998-069). Small releases of cement are hand swept, screened and returned to the silo while larger ones will be picked up with a vacuum truck, screened and returned to a silo. Mobile equipment is not cleaned at the site. Upland release of hydraulic fluids or other petroleum products are cleaned using the absorbent materials in the spill kit

which are then bagged and sent to Front Avenue for collection and disposal at the Hillsboro Landfill. Attached are copies of documents associated with discharge of dome wash water.

**Front Ave. Batch Plant:** Prior to servicing, mobile equipment is cleaned with a pressure washer and/or a steam cleaner. The water from the steam cleaning unit flows into a baffled settling sump that removes solids and floating oils. This water then flows through a filtered oil/water separator prior to discharge to the sanitary sewer, if needed. When the sump and baffle system need to be cleaned out, the residue is pumped and removed by ORRCO. There is a parts washer for smaller parts, with a 15 gallon drum of solvent that is serviced by Wesco or Safety Kleen, the vendor as necessary. Servicing typically involves topping off solvent that has evaporated. The exterior of the concrete barrel is hand washed using a synthetic solution. The water from this activity is collected with the other process water for reuse or discharge to the sanitary sewer if there is more process water on the site than can be used to batch concrete. Upland release of hydraulic fluids or other petroleum products are cleaned using the absorbent materials in the spill kit which are then bagged and sent to the Hillsboro Landfill. Attached are copies of documents associated with disposing of absorbent materials.

**Linnton Sand Yard:** There is only one piece of mobile equipment at Linnton: a front end loader. It only receives minor repairs and servicing (e.g., addition of hydraulic fluid and greasing of moving components) Any servicing occurs over a tarp in order to capture any spilled materials. All major repairs and servicing are performed off site. Upland release of hydraulic fluids or other petroleum products are cleaned using the absorbent materials in the spill kit which are then bagged and sent to the Hillsboro Landfill.

35. Describe the methods used to clean up spills of liquid or solid materials during Respondent's operation.

This question was answered in the response to question 34.

36. For each type of waste (including by-products) from Respondent's operations, including but not limited to all liquids, sludges, and solids, provide the following information:
- its physical state;
  - its nature and chemical composition;
  - its color;
  - its odor;
  - the approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.); and
  - the dates (beginning & ending) during which each type of waste was produced by Respondent's operations.

This question was answered in the response to question 21.

37. Provide a schematic diagram that indicates which part of Respondent's operations generated each type of waste, including but not limited to wastes generated by cleaning and maintenance of equipment and machinery and wastes resulting from spills of liquid materials.

Site diagrams attached to the SPCC plans illustrate the areas in which such activities occur.

38. Identify all individuals who currently have and those who have had responsibility for Respondent's environmental matters (e.g. responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes). Also provide each individual's job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management.

**River St. Cement Terminal:**

Bryan Wigginton, Environmental Manager, Oregon Division (December 2002-present)

Doug Hale, Environmental Manager, Oregon Division (1997-2002)

Dale Martin, Plant Manager (1991-present)

**Front Ave. Batch Plant:**

Bryan Wigginton, Environmental Manager, Oregon Division (December 2002-present)

Doug Hale, Environmental Manager, Oregon Division (1997-2002)

Tommy LaLonde, Operations Manager (1997– present)

Skeet Guenther, Plant Manager, (1994– 2000)

Dave Germer, Plant Manager (2005 – present)

Gaylord Gate, Shop Foreman, Front Avenue (2000-present)

**Linnton Sand Yard:**

Bryan Wigginton, Environmental Manager, Oregon Division (December 2002-present)

Doug Hale, Environmental Manager, Oregon Division (1997-2002)

Mark Tougas, Plant Manager (1998 – 2002)

Tony Camera, Plant Manager, (2002 – present)

39. For each type of waste describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling.

**River St. Cement Terminal:** There are no contracts or agreements in place. ORRCO picks up used oil and vacuums stormceptors as needed.

**Front Ave. Batch Plant:** Concrete solids that can not otherwise be reused are sent offsite for disposal. Solids and broken concrete are currently being sent to Scappoose Sand & Gravel (Copy of contract attached, as well as the two prior reuse and disposal sites). Safety Kleen services the two parts washer units. Attached is a copy of the Safety Kleen Continued Use Contract.

**Linnton Sand Yard:** There are no disposal contracts or agreements at the Linnton Sand Yard.

40. Provide copies of such contracts and other documents reflecting such agreements or arrangements, Including, but not limited to the following:
- a. state where Respondent sent each type of its waste for disposal, treatment, or recycling;
  - b. identify all entities and individuals who picked up waste from Respondent or who otherwise transported the waste away from Respondent's operations (these companies and individuals shall be called "Waste Carriers" for purposes of this Information Request);
  - c. if Respondent transported any of its wastes away from its operations, please so indicate;
  - d. for each type of waste specify which Waste Carrier picked it up;
  - e. indicate the ultimate disposal/recycling/treatment location for each type of waste;
  - f. provide all documents indicating the ultimate disposal/recycling/treatment location for each type of waste; and
  - g. state the basis for and provide any documents supporting the answer to the previous question.

Copies of the contracts governing the arrangements described in 39 are attached.

41. Describe all wastes disposed by Respondent into Respondent's drains including but not limited to:
- a. the nature and chemical composition of each type of waste;
  - b. the dates on which those wastes were disposed;
  - c. the approximate quantity of those wastes disposed by month and year;
  - d. the location to which these wastes drained (e.g. septic system or storage tank at the Property, pre- treatment plant, Publicly Owned Treatment Works (POTW), etc.); and

- e. whether and what pretreatment was provided.

**River St. Cement Terminal:** Approximately 2,000 gallons to 3,000 gallons of wash water collected by the wet sweeper truck is discharged to the sanitary sewer per month as approved by David Ball at the City of Portland. A copy of the documents related to the discharge and pH readings are attached.

**Front Ave:** After process water is pH adjusted, water that can not be reused is discharged to the sanitary sewer. Attached are representative copies of the discharge reports containing sample results and volumes discharged.

**Linnton Sand Yard:** Not applicable.

42. Identify any sewage authority or treatment works to which Respondent's waste was sent. The sewer authority that receives water discharged from both the the cement terminal and Front Ave. Batch Plant facilities to the sanitary sewer is the City of Portland Bureau of Environmental Services.
43. Describe all settling tank, septic system, or pretreatment system sludges or other treatment wastes resulting from Respondent's operations.

**River St. Cement Terminal:** Not applicable.

**Front Ave:** The only solids that remain after separation of concrete process water are the concrete solids described in response to question 39.

**Linnton Sand Yard:** Not applicable.

44. If applicable, describe the facilities, processes and methods Respondent or Respondent's contractor used, and activities engaged in, either currently or in the past, related to ship building, retrofitting, maintenance or repair, including, but not limited to, dry-docking operations, tank cleaning, painting and re-powering.  
This is not applicable to any of the three facilities.
45. Describe any hazardous substances, wastes, or materials used or generated by the activities described in response to the previous Question and how these hazardous substances, materials and wastes were released or disposed of.  
Not applicable.
46. Provide copies of any records you have in your possession, custody or control relative to the activities described in response to the previous two Questions.  
Not applicable.

47. Describe any process or activity conducted on a Property identified in response to Question 4 involving the acquisition, manufacture, use, storage, handling, disposal or release or threatened release of polychlorinated biphenyl(s) ("PCB(s)" or PCB(s)-containing materials or liquids.

**River St. Cement Terminal:** When Lone Star Northwest, general partnership first purchased the terminal from Kaiser Cement in 1987, there was one transformer and three PGE owned pole mounted transformers. Samples taken in 1988 confirm that the 1500 KVA transformer is free of PCBs. (Copies attached) It is our understanding the PGE did not use PCB-containing oil in its pole mounted transformers. Attached is a December 1993 confirming that there were no TSCA violations.

**Front Ave. Batch Plant:** The transformer installed with the plant in 1990 was new and free of PCBs.

**Linnton Sand Yard:** Electrical power is brought from the adjacent Linnton Plywood facility. Glacier does not have any information about the status of Linnton Plywood's electrical equipment.

48. For each process or activity identified in response to the previous Question, describe the dates and duration of the activity or process and the quantity and type of PCB(s) or PCB(s) containing materials or liquids.

Not Applicable

49. For each process or activity identified in response to the previous two Questions, identify the location of the process or activity on the property.

Not Applicable

## **Section 5.0 Regulatory Information**

50. Identify all federal, state and local authorities that regulated the owner or operator of each Property and/or that interacted with the owner or operator of each Property. Your response is to address all interactions and in particular all contacts from agencies/departments that dealt with health and safety issues and/or environmental concerns.

**River St. Cement Terminal:**

- City of Portland – Environmental Services
  - Stormwater inspections of the facility on an annual basis or as frequently as City staff availability/funding allows.
  - Industrial Source Control surveys  
(Copies are attached)



- Oregon Department of Environmental Quality – Waste
  - RCRA Hazardous Waste Reporting – Conditionally Exempt Generator (1999 to present)
 (Copies of the documents are attached in response to question 58)
  
- Oregon Department of Environmental Quality – Water Quality
  - NPDES 100-J General Permit for Non-Contact Cooling Water (File# 44571)
 (Copies of the documents are attached in response to question 52)
  
- Oregon Department of Environmental Quality – Air Quality
  - Air Permitting and equipment additions through notice of intent to construct
 (Copies of the documents are attached in response to question 52)
  
- Department of the Army – Corps of Engineers
  - Maintenance dredging applications and permits
 (Copies of the documents are attached in response to question 52)
  
- Oregon Department of State Lands
  - Maintenance dredging
 (Copies of the documents are attached in response to question 52)
  
- US – EPA
  - Toxic Substance Control Act (TSCA) – Inspection of site for transformers containing PCBs
 (Copies of the documents are attached in response to question 47)
  
- Oregon Department of Environmental Quality – UST Program
  - No further action
 (Copies of the documents are attached in response to question 13j)
  
- Office of State Fire Marshal – Community Right to Know
  - Hazardous Substance Information Surveys

(Copies of the documents are attached in response to question 58)

**Front Ave. Batch Plant:**

- City of Portland – Environmental Services
  - Sanitary Sewer Permitting
  - Industrial Source Control surveys(Copies are attached)
  
- Oregon Department of Environmental Quality - Waste
  - RCRA Hazardous Waste Reporting – Conditionally Exempt Generator (1999 to present)(Copies of the documents are attached in response to question 58)
  
- Oregon Department of Environmental Quality – Water Quality
  - NPDES Water Pollution Control Facility (WPCF 1000)
  - Underground injection control (UIC) program – registered stormwater drywells (June 16, 2000)(Copies of the documents are attached in response to question 52)
  
- Oregon Department of Environmental Quality – Air Quality
  - Air Permitting and Notice of Intent to Construct(Copies of the documents are attached in response to question 52)
  
- Department of the Army – Corps of Engineers
  - Maintenance dredging permits(Copies of the documents are attached in response to question 52)
  
- Oregon Department of State Lands
  - Maintenance dredging(Copies of the documents are attached in response to question 52)

- Office of State Fire Marshal – Community Right to Know

Hazardous Substance Information Surveys (File No.: 021201)  
(Copies of the documents are attached in response to question 58)

**Linnton Sand Yard:**

- City of Portland – Environmental Services
  - Annual stormwater inspections (delegated by Oregon Department of Environmental Quality)  
(Copies of the documents are attached in response to question 52)
- Oregon Department of Environmental Quality – Water Quality
  - NPDES 1200-Z Industrial Stormwater Discharge Permit (File No.: 108460, EPA# ORR106061)
  - NPDES Wastewater Discharge Permit (File No.: 102452, DEQ Site ID: 108460)
  - State Wharf Registration (No.: 38556-RG)  
(Copies of the documents are attached in response to question 52)
- Office of State Fire Marshal – Community Right to Know
  - Hazardous Substance Information Surveys (File No.: 067371)  
(Copies of the documents are attached in response to question 58)

51. Describe all occurrences associated with violations, citations, deficiencies, and/or accidents concerning each Property during the period being investigated related to health and safety issues and/or environmental concerns. Provide copies of all documents associated with each occurrence described.

**River St. Cement Terminal:**

- Water/Soil

May 13, 2007

Hydraulic spill contained on dock with no material entering the river. (Cleanup work order attached).

August 26, 2004

Hydraulic oil released from dock equipment and was washed over the dock by rain event into the Willamette River. Approximately 1/3 cup of hydraulic oil entered the waterway and produced a sheen approximately 10' x 20'. (Documents produced in response to question 22)

July 12, 1999

Petroleum contaminated soil identified to be from abandoned machinery leaking on ground. Soil excavated and hauled to Waste Management's Hillsboro landfill for disposal. Excavated area sampled and determined to be below Level 1 Numeric Soil Matrix Cleanup Standard of 100 mg/kg. (Documents produced in response to question 64)

September 14, 1999

Light hydraulic oil was released to river from faulty hydraulic cylinder. Sixteen ounces entered Willamette River. (Documents produced in response to question 22)

June 10, 1998

Approximately 300 pounds of Portland cement fell into the Willamette River due to a valve failure. (Documents produced in response to question 22)

- Air

September 12, 2003

Overfill of silo 21 due to faulty high level alarm. 500 pounds of cement fell to the ground with cleanup performed by brooms and shovels. A secondary high level alarm was installed as a back up. (Internal report attached)

July 11, 2003

Gasket failure on 12" product line discharged approximately 500 pounds of cement on the ground. (Internal report attached)

May 14, 2003

Rubber pinch valve failed when diverting cement to storage dome. Product blew onto land and was stopped in approximately 10 seconds. (Internal report attached)

October 10, 2000

Overfill of silo #9 and two to three hundred pounds of cement was lost onto ground. (Internal report attached)

May 18, 2000

Hole formed in product line and cement was discharged. (Internal report attached)

June 11, 1998

Rubber sleeve failure on 12" transfer line discharge approximately one ton of cement onto ground. (Internal report attached)

December 21, 1997

Overfill of silo #8 due to communications error with one to two tons of cement discharged to ground. (Upset log and DEQ correspondence attached)

**Front Ave. Batch Plant:**

- Report to Oregon Department of Environmental Quality - Air  
Excess emissions of cement to air due to bag failure in baghouse (February 14, 2001) (Report attached)
- Oregon Department of Environmental Quality - Water  
Discharge of treated process water to Willamette River due to fitting rupture. (January 2, 2007). (Documents produced in response to question 22)

Discharge of treated process water to Willamette River due to river pump check valve being removed for repairs. Valve on land was not closed when pump was removed. (January 20, 2003) (Documents produced in response to question 22)

### **Linnton Sand Yard**

- Oregon Department of Environmental Quality - Water  
Notice of Noncompliance (December 5, 2001). Failure to submit  
discharge monitoring reports (1997-1999). (Copy of letter attached)

52. Provide a list of all local, state and federal environmental permits ever issued to the owner or operator on each Property (e.g., RCRA permits, NPDES permits, etc.). Please provide a copy of each federal and state permit, and the applications for each permit, ever issued to the owner or operator on each Property.

### **River St. Cement Terminal:**

#### **1) City of Portland**

- Industrial Waste Water Batch Discharge (Batch 1998-044) – Dome cleaning water (July 22, 1998) (Documents attached in response to question 34)
- Industrial Waste Water Batch Discharge (Batch 1998-069) – Dome cleaning water (November 16, 1998) (Documents attached in response to question 34)

#### **2) Department of the Army – Corps of Engineers**

- Maintenance Dredging at terminal docks (Corps No.: 199600278, May 10, 2004) (Documents attached in response to question 71)

#### **3) Oregon Department of State Lands (No.: RP-5596)**

- Maintenance Dredging at terminal docks (Expired March 17, 2004) (Documents attached in response to question 71)

#### **4) Oregon Department of Environmental Quality - Water**

- NPDES Waste Discharge Permit 100J (General Permit for Non-Contact Cooling Water, File No.: 44571), 1995, 2001 (Permit attached)

#### **5) Oregon Department of Environmental Quality – Air**

- Minimal Air Containment Discharge Permit (No.: 26-1995, Cancelled by OR-DEQ November 26, 2001)
- Notice of Intent to Construct (No.: 017268) – installation of railcar loading system

- Notice of Intent to Construct (No.: 0050) – Construction of cement storage dome (July 19, 1994)
- Notice of Intent to Construct (No.: 016395) – Installation of bulk truck loadout and bag dust collectors (July 9, 1997)
- Minimal Source Air Containment Discharge Permit (No.: 26-1995, Issued May 8, 1992)

(Copies of permits attached)

### **Front Ave. Batch Plant:**

#### **1) City of Portland**

- Industrial Wastewater Discharge Permit (#400.189, Effective June 30, 2006, Expired June 15, 2011) (Copies attached)
- Industrial Waste Water Batch Discharge (Batch 1997-017, cancelled May 20, 1998) (Copies attached)

#### **2) State of Oregon, Multnomah County**

- Permit to Appropriate Public Waters (permit No.: 51444, Application No.: 70968) (Copies attached)

#### **3) Department of the Army – Corps of Engineers**

- Maintenance Dredging at docks (Corps No.: 2000-00708, Expired July 31, 2007, Corps No.: 98-891, Expired July 29, 2000) (Copies attached)

#### **4) Oregon Department of State Lands (No.: RP-15871)**

- Maintenance Dredging at docks (Expires March 22, 2009, March 22, 2005) (Copies attached)

#### **5) Oregon Department of Environmental Quality - Water**

- NPDES Waste Pollution Control Facility permit (WPCF 1000, File No.: 106127), Expires October, 31 2017, Expired June 30, 2007, June 30, 2002, December 21, 1996 (Copies attached)

#### **6) Oregon Department of Environmental Quality – Air**

- General Air Containment Discharge Permit (No.: 26-3265, Expires October 1, 2017)
- Minimal Source Air Containment Discharge Permit (No.: 26-3265, Expired January 1, 2001)

(Copies attached)

**Linnton Sand Yard**

1) Oregon Department of State Lands (No.: RP-15871)

- State Wharf Registration (No.: 38556-RG)

(Copy attached)

2) Oregon Department of Environmental Quality - Water

- NPDES Wastewater Discharge Permit (File No.: 102452, DEQ Site ID: 108460), Expires November, 30 2009, Expired December 31, 2004, May 31, 2000 (Copies attached)
- Mutual Agreement and Order (No.: WQMW-NWR-02-018) and related documents (Copies attached)
- NPDES 1200-Z Industrial Stormwater Discharge Permit (File No.: 108460, EPA# ORR106061), Expires June 30, 2012, June 30, 2007, June 30, 2002 (Copies attached)

53. Did the owner or operator ever file a Hazardous Waste Activity Notification under the RCRA? If so, provide a copy of such notification.

**River St. Cement Terminal:** No

**Front Ave. Batch Plant:** No.

**Linnton Sand Yard:** No

54. Did the owner or operator's facility on each Property ever have "interim status" under the RCRA? If so, and the facility does not currently have interim status; describe the circumstances under which the facility lost interim status.

**River St. Cement Terminal:** No

**Front Ave. Batch Plant:** No

**Linnton Sand Yard:** No

55. Provide all RCRA Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.

**River St. Cement Terminal:** RCRA ID: ORQ000011973

**Front Ave. Batch Plant:** RCRA ID: ORD 987189438

**Linnton Sand Yard:** Not applicable



56. Identify all federal offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.

**River St. Cement Terminal:** None

**Front Ave. Batch Plant:** U.S. Environmental Protection Agency  
Toxic Release Inventory (TRI) reporting – 2000 to present  
Facility ID: 97210GLCRN5034F

**Linnton Sand Yard:** None

57. Identify all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.

**River St. Cement Terminal:** Oregon Department of Environmental Quality  
1999 to present

**Front Ave. Batch Plant:** Oregon Department of Environmental Quality  
1999 to present

**Linnton Sand Yard:** None

58. List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq., (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq., Oregon Hazardous Substance Remedial Action Law, ORS 465.315, Oregon Water Quality law, ORS Chapter 468(b), Oregon Hazardous Waste and Hazardous Materials law, ORS Chapters 465 and 466, or Oregon Solid Waste law, ORS Chapter 459. Provide copies of each report made, or if only oral reporting was required, identify the federal and state offices to which such report was made.

**River St. Cement Terminal:**

- Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA)

Annual reports

- Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq.

Monthly DMRs for Non-Contact cooling water

- Oregon Hazardous Waste and Hazardous Materials law, ORS Chapters 465

and 466,

Annual report as Conditionally Exempt Generator

(Examples of these reports are attached)

**Front Ave. Batch Plant:**

- Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA)

Annual reports

- Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq.

Monthly reporting of water volumes discharged to sanitary sewer

Bi-annual samples of water discharged to sanitary sewer (March and November samples)

(Copies attached in response to question 41)

- Oregon Hazardous Waste and Hazardous Materials law, ORS Chapters 465 and 466,

Annual report as Conditionally Exempt Generator

Toxic Waste Use and Reduction Act

(Examples of these reports are attached)

**Linnton Sand Yard**

- Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA)

Annual reports

- Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq.

Monthly DMRs

(Examples of this report is attached)

59. Provide a copy of any registrations, notifications, inspections or reports required by the Toxic Substances Control Act, 15 USC § 2601 et seq., or state law, to be maintained or submitted to any government agency, including fire marshal(s), relating to PCB(s) or PCB(s) containing materials or liquids on any Property identified in response to Question 4.

**River St. Cement Terminal:** US EPA inspection under the TSCA December 28, 1993. No PCBs found. Document produced in response to question 47.

**Front Ave. Batch Plant:** Not applicable

**Linnton Sand Yard:** Not applicable

60. Has Respondent or Respondent's contractors, lessees, tenants, or agents ever contacted, provided notice to, or made a report to the Oregon Department of State Lands ("DSL") or any other state agency concerning an incident, accident, spill, release, or other event involving Respondent's leased state aquatic lands? If so, describe each incident, accident, spill, release, or other event and provide copies of all communications between Respondent or its agents and DSL or the other state agency and all documents that were exchanged between Respondent, its agents and DSL or other state agency.

**River St. Cement Terminal:** No aquatic lands are leased.

**Front Ave. Batch Plant:** No aquatic lands are leased.

**Linnton Sand Yard:** No aquatic lands are leased.

61. Describe all notice or reporting requirements to DSL that you had under an aquatic lands lease or state law or regulation regarding incidents affecting, or activities or operations occurring on leased aquatic lands. Include the nature of the matter required to be reported and the office or official to whom the notice or report went to. Provide copies of all such notices or reports.

**River St. Cement Terminal:** No aquatic lands are leased.

**Front Ave. Batch Plant:** No aquatic lands are leased.

**Linnton Sand Yard:** No aquatic lands are leased.

## **Section 6.0 Releases and Remediation**

62. Identify all leaks, spills, or releases into the environment of any waste, including petroleum, hazardous substances, pollutants, or contaminants, that have occurred at or from each Property, which includes any aquatic lands owned or leased by Respondent. In addition, identify, and provide copies of any documents regarding:

- a. when such releases occurred;
- b. how the releases occurred (e.g. when the substances were being stored, delivered by a vendor, transported or transferred (to or from any tanks, drums, barrels, or recovery units), and treated);
- c. the amount of each hazardous substances, pollutants, or contaminants so released;
- d. where such releases occurred;
- e. any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release;
- f. any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken;
- g. all persons with information relating to these releases; and
- h. list all local, state, or federal departments or agencies notified of the release, if applicable.

This question is answered and documentation provided in response to questions 22 and 51.

63. Was there ever a spill, leak, release or discharge of waste, including petroleum, or hazardous substances, pollutant or contaminant into any subsurface disposal system or floor drain inside or under a building on the Property? If the answer to the preceding question is anything but an unqualified "no", identify:
- a. where the disposal system or floor drains were located;
  - b. when the disposal system or floor drains were installed;
  - c. whether the disposal system or floor drains were connected to pipes;
  - d. where such pipes were located and emptied;
  - e. when such pipes were installed;
  - f. how and when such pipes were replaced, or repaired; and
  - g. whether such pipes ever leaked or in any way released such waste or hazardous substances into the environment.

To the best of our knowledge, there have been no releases, spills or leaks into a subsurface disposal system or drain in which a hazardous material was released into the environment.

64. Has any contaminated soil ever been excavated or removed from the Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:

- a. amount of soil excavated;
- b. location of excavation presented on a map or aerial photograph;
- c. manner and place of disposal and/or storage of excavated soil;
- d. dates of soil excavation;
- e. identity of persons who excavated or removed the soil, if other than a contractor for Respondent;
- f. reason for soil excavation;
- g. whether the excavation or removed soil contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the soil contained, and why the soil contained such constituents;
- h. all analyses or tests and results of analyses of the soil that was removed from the Property;
- i. all analyses or tests and results of analyses of the excavated area after the soil was removed from the Property; and
- j. all persons, including contractors, with information about (a) through (i) of this request.

**River St. Cement Terminal:** In 1999 personnel discovered that a retired track hoe had leaked. Approximately 7 cubic yards of petroleum contaminated soil was excavated and disposed of at Hillsboro Landfill. A copy of the report prepared by Spencer Environmental is attached.

**Front Ave. Batch Plant:** No

**Linnton Sand Yard:** No

65. Have you ever tested the groundwater under your Property? If so, please provide copies of all data, analysis, and reports generated from such testing.

The only groundwater sample that we are aware were taken from any of the three properties were taken by Zidell at Front Ave (and produced in response to question 8) and by Arco at the Linnton Sand Yard (the results of which we do not have)

66. Have you treated, pumped, or taken any kind of response action on groundwater under your Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:
- a. reason for groundwater action;
  - b. whether the groundwater contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the groundwater contained, and why the groundwater contained such constituents;
  - c. all analyses or tests and results of analyses of the groundwater;

- d. if the groundwater action has been completed, describe the basis for ending the groundwater action; and
- e. all persons, including contractors, with information about (a) through (c) of this request.

No.

67. Was there ever a spill, leak, release or discharge of a hazardous substance, waste, or material into the Willamette River from any equipment, structure, or activity occurring on, over, or adjacent to the river? If the answer to the preceding question is anything but an unequivocal "no", identify and provide copies of any documents regarding:
- a. the nature of the hazardous substance, waste, or material spilled, leaked, released or discharged;
  - b. the dates of each such occurrence;
  - c. the amount and location of such release;
  - d. were sheens on the river created by the release;
  - e. was there ever a need to remove or dredge any solid waste, bulk product, or other material from the river as a result of the release? If so, please provide information and description of when such removal/dredging occurred, why, and where the removed/dredged materials were disposed.

This question is answered and documentation provided in response to questions 22.

68. For any releases or threatened releases of PCB(s), identify the date, quantity, location and type of PCB(s), or PCB(s) containing materials or liquids, and the nature of any response to or cleanup of the release.

Not applicable.

69. For any releases or threatened releases of PCB(s) and/or PCB(s) containing materials or liquids, identify and provide copies of any documents regarding the quantity and type of waste generated as a result of the release or threatened release, the disposition of the waste, provide any reports or records relating to the release or threatened release, the response or cleanup and any records relating to any enforcement proceeding relating to the release or threatened release.

Not applicable

## **Section 7.0 Property Investigations**

70. Provide information and documentation concerning all inspections, evaluations, safety audits, correspondence and any other documents associated with the conditions, practices, and/or procedures at the Property concerning insurance issues or insurance coverage matters.

Copies of insurance evaluations for River Street Cement Terminal and Linnton Sand Yard are attached as Confidential Business Information. No such evaluations for Front Ave. Batch Plant are available.

71. Describe the purpose for, the date of initiation and completion, and the results of any investigations of soil, water (ground or surface), sediment, geology, and hydrology or air quality on or about each Property. Provide copies of all data, reports, and other documents that were generated by you or a consultant, or a federal or state regulatory agency related to the investigations that are described.

**River St. Cement Terminal** The only sediment quality data that Glacier Northwest has generated was in support of dredging in 2004. Copies of data, Corps permit and DSL permit are attached.

**Front Ave. Batch Plant:** The only sediment quality data that Glacier Northwest has generated was post dredge sampling in accordance with the permits. Copies of these documents are attached.

72. Describe any remediation or response actions you or your agents or consultants have ever taken on each Property either voluntarily or as required by any state or federal agency. If not otherwise already provided under this Information Request, provide copies of all investigations, risk assessments or risk evaluations, feasibility studies, alternatives analysis, implementation plans, decision documents, monitoring plans, maintenance plans, completion reports, or other document concerning remediation or response actions taken on each Property.

Glacier objects to the terms remediation and response actions without further definition. In an effort to fully respond to the question, Glacier responds that it has not undertaken any cleanup actions other than to address minor petroleum releases, as described in Section 6 above.

73. Are you or your consultants planning to perform any investigations of the soil, water (ground or surface), geology, hydrology, and/or air quality on or about the Property? If so, identify:
- what the nature and scope of these investigations will be;
  - the contractors or other persons that will undertake these investigations;
  - the purpose of the investigations;
  - the dates when such investigations will take place and be completed; and
  - where on the Property such investigations will take place.

No.

## **Section 8.0 Corporate Information**

74. Provide the following information, when applicable, about you and/or your business(es) that are associated with each Property identified in response to Question 4:
- state the current legal ownership structure (e.g., corporation, sole proprietorship);  
Glacier Northwest, Inc. is incorporated in Washington.
  - state the names and current addresses of current and past owners of the business entity or, if a corporation, current and past officers and directors;

**Ownership of Glacier Northwest and its predecessors 1987-present**

<b>Name of Owner</b>	<b>Dates</b>	<b>Percentage Owned</b>	<b>Officers</b>
Lone Star Industries	1987-1996	50% as of 4/87; 2.5% as of 3/9/90; 1% as of 2/19/91; 0% 12/11/96	Information not available
New York Trapp Rock ( a wholly owned subsidiary of Lone Star Industries)	April 1987-December 1987, when it's 50% interest was sold to Onoda Northwest.	50% as of 4/87 until the sale 12/87.	Information not available
Onoda Northwest (nka, Taiheyo Cement USA)	1987-12/05	50% as of 12/87; 97.5% as of 3/9/90; 99% as of 2/19/91; 100% as of 12/11/96	Ken Kikuchi, Yukio Tsuda
California Portland Cement Company	1/06-present	100%	James Repman, Allen Hamblen, Gary Eathorne, Edward Owens, William Parfitt, Rick Patton, John Renninger, Craig Starkey, Ronald Summers, Scott Isaacson, Amy Schilling, Renee Benjamin, Mark Leatham, Mark Liefke, Annette Ware

- discuss all changes in the business' legal ownership structure, including any corporate successorship, since the inception of the business entity. For example, a



business that starts as a sole proprietorship, but then incorporates after a few years, or a business that is subsequently acquired by and merged into a successor. Please include the dates and the names of all parties involved;

Lone Star Northwest, general partnership was formed in April 1987 between Lone Star Industries, Inc. and New York Trapp Rock (a wholly owned subsidiary of Lone Star Industries). In December 1988, Onoda Northwest purchased a 50% interest in the partnership with Lone Star Industries owning the remaining 50% interest. The corporation that is now Glacier Northwest, Inc. was created in February 1991 when it was incorporated as Lone Star Northwest, Inc.. Onoda Northwest purchased the last shares owned by Lone Star Industries in December 1996. In January 2006, Onoda Northwest transferred its shares of Glacier Northwest, Inc. to another of it's wholly owned subsidiaries, California Portland Cement Company.

- d. the names and addresses of all current or past business entities or subsidiaries in which you or your business has or had an interest that have had any operational or ownership connection with the Properties identified in response to Question 4. Briefly describe the business activities of each such identified business entities or subsidiaries; and

Glacier Northwest purchased the stock of Columbia River Sand & Gravel Co. which operates Linnton Sand Yard on November 3, 2000. Columbia River Sand & Gravel is a wholly owned subsidiary of Northwest Aggregates Co., an Oregon corporation which is a wholly owned subsidiary of Glacier Northwest, Inc.

River St. Cement Terminal and Front Avenue have consistently been held directly by Glacier Northwest, Inc.

- e. if your business formerly owned or operated a Property identified in response to Question 4, describe any arrangements made with successor owners or operators regarding liability for environmental contamination or property damage.

Not applicable

75. List all names under which your company or business has ever operated and has ever been incorporated. For each name, provide the following information:
- a. whether the company or business continues to exist, indicating the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale) if it is no longer in business;

- b. names, addresses, and telephone numbers of all registered agents, officers, and operations management personnel; and
- c. names, addresses, and telephone numbers of all subsidiaries, unincorporated divisions or operating units, affiliates, and parent corporations if any, of the Respondent.

Glacier Northwest objects to the breadth of this question. Corporate information related to the three subject properties is provided in response to question 74. Information about key operations personnel is provided in response to question 38. Glacier Northwest's registered agent in Oregon is the CT Corporation, 388 State Street, Suite 420, Salem, OR 97301.

76. Provide all copies of the Respondent's authority to do business in Oregon. Include all authorizations, withdrawals, suspensions and reinstatements.

The Oregon State Secretary of State summary of Glacier Northwest, Inc.'s corporate history is attached.

77. If Respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship, including but not limited to:
- a. a general statement of the nature of relationship, indicating whether or not the affiliated entity had, or exercised, any degree of control over the daily operations or decision-making of the Respondent's business operations at the Site;
  - b. the dates such relationship existed;
  - c. the percentage of ownership of Respondent that is held by such other entity(ies);
  - d. for each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities, as well as the names and addresses of each such affiliated entity's officers, directors, partners, trustees, beneficiaries, and/or shareholders owning more than five percent of that affiliated entity's stock;

Questions 77 a through d are answered as follows:

The shares of Glacier Northwest, Inc. have been owned by Onoda Northwest (nka Taiheyo Cement USA) from its 1991 inception through January 2006 and Lone Star Industries from its 1991 inception through December 1996. In January 2006, Taiheyo Cement USA transferred its shares to a wholly owned subsidiary, California Portland Cement Co.

Taiheyo Cement USA and California Portland Cement are located at 2025 E. Financial Way, Glendora, CA 91741.

Lone Star Industries (nka, Buzzi Unicem, USA) is located at 100 Broadhead Road, Bethlehem, PA 18017

- e. provide any and all insurance policies for such affiliated entity(ies) which may possibly cover the liabilities of the Respondent at each Property; and

Glacier Northwest, Inc. was formed in 1991, after the widespread use of the absolute pollution exclusion in comprehensive general liability policies. Glacier Northwest has never purchased environmental cleanup cost-cap, pollution legal liability, or environmental impairment liability policies relevant to the properties. Glacier Northwest does not believe that there are any policies which might cover possible liability.

- f. provide any and all corporate financial information of such affiliated entities, including but not limited to total revenue or total sales, net income, depreciation, total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets), and net worth.

A copy of the 2006 & 2007 consolidated financial is attached. This is Confidential Business Information.

- 78. If Respondent is a partnership, please describe the partnership and provide a history of the partnership's existence. Provide a list of all current and past partners of any status (e.g., general, limited, etc.) and provide copies of all documents that created, govern, and otherwise rules the partnership, including any amendments or modifications to any of the originals of such documents, and at least five years of partnership meeting minutes.

As described throughout this document, the Respondent is a corporation incorporated in 1991. There was a partnership who held interest in two of the three subject properties prior to 1991. This relationship is also detailed throughout this response, in particular in this section 7.

#### **Section 9.0 Compliance With This Request**

- 79. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:
  - a. the name and current job title of all individuals consulted

Bryan Wigginton, Environmental Manager, Oregon Division  
Shawn Carter Lilley, Corporate Counsel  
Dale Martin, Portland Cement Terminal Manager  
Tommy Lalonde, General Manager Concrete Operations.

- b. the location where all sources reviewed are currently reside; and  
Oregon administrative offices, Portland, Oregon  
Corporate administrative offices, Seattle, Washington
- c. the date consulted.

**February through June 2008**

80. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous substances, waste, or materials to or from, each Property identified in response to Question 4.

Glacier Northwest believes that it has provided information and the identity of the people most familiar and knowledgeable with hazardous materials during the term of Glacier's operations.

81. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:
- a. the document retention policy between 1937 and the present;
  - b. the approximate date of destruction;
  - c. a description of the type of information that would have been contained in the documents;
  - d. the name, job title and most current address known by you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; the person(s) who would have been responsible for destroying the documents; and the person(s) who had and/or still have the originals or copies of these documents; and
  - e. the names and most current addresses of any person(s) who may possess documents relevant to this inquiry.

To the best of our knowledge there are not documents that would have been responsive to the request that are not available because they have been destroyed.

82. Provide a description of all records available to you that relate to all of the questions in this request, but which have not been included in your responses.

We do not believe that there are meaningful records that have not been produced. In some instances, there are additional diagrams, aerials and other similar information that were not provided.

## INSTRUCTIONS

1. Answer Each Question Completely. Provide a separate answer to each question and subpart set forth in this Information Request. Please provide responses to all the questions in this Information Request for each Property identified in response to Question 4 of Section 2.0, when appropriate. For each Response clearly identify the Property or Properties to which the response applies. Incomplete, evasive, or ambiguous answers shall constitute failure to respond to this Information Request and may subject the Respondent to the penalties set out in the cover letter.
2. Response and Copies of Documents Must be on Paper (hard copy). Provide the responses to this Information Request and at least one copy of all requested documents on hard copy paper.

There is a Portland Harbor PRP search website:

(<http://yosemite.epa.gov/R10/CLEANUP.NSF/7d19cd587dff1eee8825685f007d56b7/75e7f27bd108f3eb88256f4a007ba018!OpenDocument>) that lists documents in the Superfund program's files related to certain facilities or parties. You do not need to provide a copy of a document that appears on the list if EPA has a complete copy. If a document is on EPA's list, you still must provide a complete Response to each question in this Information Request and, if necessary in order to completely respond to a Question, describe the content of any document in EPA's files in your Response.

You may also provide a second copy of the response electronically on a compact disc, if you choose, in Portable Document Format (PDF) format. If possible, further format large documents as follows;

- a. Bookmark documents longer than 10 pages for easier navigation (e.g., chapters);
  - b. Ensure that file/document properties/initial view is for "bookmarks panel and page" if there are bookmarks.
  - c. For document composed of multiple files, link together with a starter file that is less than 2 MB, i.e., the document's executive summary. The executive summary should have a bookmarks panel with bookmark links to the other files. Ensure that all files are saved to the same folder, rather than multiple folders so that the linkage is retained.
  - d. Bookmarks to other files should indicate the name of that file (and size of that file, if over 1 MB).
  - e. "Tag" the document for accessibility if this was not done by the source application (advanced/accessibility/tag).
  - f. Enter document properties: 1) title, author (should be XXXX for EPA Region 10), 2) subject, and 3) keywords.
3. Number Each Answer. Number each answer with the number of the question to which it corresponds.

4. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. Seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered noncompliance with this Information Request.
5. Identify Information Sources. For each question, identify all persons and documents relied upon for the answer.
6. Confidential Information. The information requested herein must be provided even though the Respondent may contend that it includes confidential information or trade secrets. The Respondent may assert a confidentiality claim covering part or all of the information requested, pursuant to 42 U.S.C. ' ' 9604(e)(7)(E) and (F), and 40 C.F.R. ' ' 2.203(b). All information claimed to be confidential should be contained on separate sheet(s) and should be clearly identified as "trade secret" or "proprietary" or "company confidential." A confidentiality claim should be supported by the submission of information consistent with 40 C.F.R. Part 2. Information covered by a confidentiality claim will be disclosed by EPA only to the extent, and only by means of the procedures, provided in 40 C.F.R. ' ' 2.201-2.311. If no such claim accompanies the information received by EPA, it may be made available to the public by EPA without further notice.
7. Disclosure to EPA Contractor. Information submitted in response to this Information Request may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. 2.310(h), even if the Respondent asserts that all or part of it is confidential business information. EPA may provide this information to its contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Information Request. If submitting information and asserting it is entitled to treatment as confidential business information, the Respondent may comment on EPA's intended disclosure within 14 days of receiving this Information Request.
8. Personal Privacy Information. Personnel and medical files, and similar files the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from responses, included on separate sheet(s), and marked as "Personal Privacy Information". Note, however, that unless prohibited by law, EPA may disclose this information to the general public without further notice.
9. Objections. The Respondent must provide responsive information notwithstanding objections to certain questions. To object without providing responsive information may subject Respondent to the penalties set out in the cover letter.
10. Privilege. If a privilege is asserted for any document responsive to this Information Request, identify (see Definitions) the document and provide the basis for assertion. If a privilege exists for only a portion of a document, provide the portion of the document that is not asserted be privileged, identify the portion that is asserted to be privileged, and provide the basis for asserting privilege. Please note that regardless of the assertion of

any privilege, any facts contained in the document which are responsive to the Information Request must be disclosed in your response.

11. Declaration. The Respondent must complete the enclosed declaration, certifying the accuracy of all statements in your response.

## DEFINITIONS

All terms not defined herein shall have their ordinary meaning, unless such terms are defined in Section 101 of CERCLA, 42 U.S.C. ' 9601, *et seq.*, or Volume 40 of the Code of Federal Regulations (CFR), in which case such statutory or regulatory definitions shall apply.

The following definitions shall apply to the following words as they appear in this Enclosure:

1. The term "you" or "Respondent" shall mean the addressee of this Request, together with the addressee's officers, managers, agents, employees, contractors, trustees, successors, assigns, and any predecessor or successor corporations or companies.
2. The term Abusiness activities@ shall mean all actions, endeavors, ventures, or financing arrangements related in any manner whatsoever to the use and development of the Property, including surveying, sampling, grading, documentation, photography, demolition, construction, and waste disposal, and sales.
3. The terms "document" and "documents" shall mean any method of recording, storing, or transmitting information. "Document" shall include, but not be limited to:
  - a. writings of any kind, including, but not limited to, any of the following:
    - i. letters, memoranda, email or fax transmittals;
    - ii. any film, photograph, or sound recording on any type of device;
    - iii. meeting minutes, telephone records, notebooks;
    - iv. agreements and contracts;
    - v. reports to shareholders, management, or government agencies;
    - vi. transportation manifests;
    - vii. copies of any document;
    - viii. report, notices, analysis, notebook.
  - b. any blueprints or drawings; and
  - c. attachments to, or enclosures with, any document.
4. The term "identify" means, with respect to a natural person, to set forth: (a) the person's full name, (b) present or last known business and home addresses and telephone numbers; and (c) present or last known employer (include full name and address) with job title, position, or business.
5. The term "identify" means, with respect to a corporation, partnership, business trust, or

- other entity, to set forth: (a) its full name; (b) complete street address; (c) legal form (e.g., corporation, partnership, etc.); (d) the state under whose laws the entity was organized; and (e) a brief description of its business.
6. The term "identify" means, with respect to a document, to provide: (a) its customary business description (e.g., letter, invoice); (b) its date; (c) its number if any (e.g., invoice or purchase order number); (d) the identity of the author, addressee, and/or recipient; and (e) a summary of the substance or the subject matter. Alternatively, Respondent may provide a complete copy of the document.
  7. The term "Investigation Area" refers to the area in and adjacent to the Willamette River in which EPA is currently conducting its PRP search and is bounded to the North by the confluence of the Columbia Slough, approximately River Mile 1.7 and bounded to the South at River Mile 12 and bounded to the East by a line following N Lombard St. to N Columbia Blvd. to Chimney Park to N. Commando Ave. to N Lombard St. to N Reno Ave. to N Edison St. to N Catlin Ave to N Decatur St. to N Baltimore Ave. to N Crawford St. to N Polk Ave. to N Willamette Blvd. to N Greeley Ave to N Interstate Ave. and bounded to the West by a line following NW Gillihan Rd. on Sauvie Island to Columbia River Hwy 30 to NW St. Helens Rd. to NW Nicolai St. to NW Vaughn St. to NW Thurman St. to NW 14th Ave. to NW Raleigh St. to NW 13th Ave. to NW Pettygrove St. to NW 12th Ave to NW Overton St. to NW 9th Ave. to NW Lovejoy St. to NW Broadway to NW Glisan St. Additionally, the area included between the Columbia River Hwy 30 and Forest Park is included in the definition of Investigation Area. See attached Investigation Area Map for a visual depiction of the Investigation Area.
  8. The term "material" or "materials" shall mean any and all raw materials, commercial products, wastes, oil, petroleum, chemicals, substances, or matter of any kind.
  9. The "period being investigated" and "the relevant time period" shall mean 1937 to present.
  10. The term "Property(ies)" shall refer to any and all real or personal property within the Portland Harbor Investigation Area that Respondent owns, leases, manages, operates, has an easement on, or otherwise has an affiliation, or previously owned, leased, managed, operated, had an easement on, or otherwise had an affiliation during the period being investigated. The term Property includes aquatic lands owned, leased, or otherwise controlled by Respondent. Please note that you must answer the Questions in this Information Request related to properties outside the Investigation Area if Question 4, Section 2.0 specifically instructs you to.
  11. The term "waste" or "wastes" shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge, including, but not limited to, containers for temporary or permanent holding of wastes, building debris and asbestos-containing material.



## DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Respondent and that the foregoing is complete, true, and correct.

Executed on July 14, 2008.



Signature

Allen Hamblen

Type or Print Name

President

Title

Mailing Address: